

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ESTATE OF JOSE R. FELICIANO,)	
By and through Jose L. Feliciano and)	
Migdalia Rosado, as Administrators of)	
the Estate of Jose R. Feliciano,)	
Plaintiff)	
)	
)	
v.)	Civil Action No. 03-30308-KPN
)	
)	
KEVIN A. MILES and SLC)	
TRANSPORTS, INC.,)	
Defendants)	

SPECIAL VERDICT
May 12, 2005

A. Negligence

Liability

1. Have Plaintiffs, Jose L. Feliciano and Migdalia Rosado, as Administrators of the Estate of Jose R. Feliciano, proven by a preponderance of the evidence that Defendants, Kevin Miles and SLC Transports, Inc., were negligent?

 X Yes No

If you have answered "Yes" to question 1, go on to question 2. If you answered "No," you must enter a verdict in favor of Defendants by completing the signature and date lines at the end of this form, and returning to the courtroom.

2. Have Plaintiffs proven by a preponderance of the evidence that Defendants' negligence proximately caused Jose R. Feliciano's death?

 X Yes No

If you have answered "Yes" to question 2, go on to question 3. If you have answered "No," you must enter a verdict in favor of Defendants by completing the signature and date lines at the end of this form, and returning to the courtroom.

Comparative Negligence

3. Have Defendants proven by a preponderance of the evidence that Jose R. Feliciano was comparatively negligent?

_____ Yes X No

If you have answered "Yes" to question 3, go on to question 4. If you have answered "No," proceed to question 6.

4. Have Defendants proven by a preponderance of the evidence that Jose R. Feliciano's own negligence was a proximate cause of his death?

_____ Yes _____ No

If you have answered "Yes" to question 4, go on to question 5. If you have answered "No," proceed to question 6.

5. Taking 100% as the total amount of fault in causing the injury at issue, what relative percentages of total fault do you attribute to Jose R. Feliciano and Defendants?

_____ Jose R. Feliciano

_____ Defendants

100% Total

If the percentage of fault you have attributed to Jose R. Feliciano is greater than fifty percent, you will have entered a verdict in favor of Defendants on this negligence claim and must proceed to question 8. If the percentage of fault attributed to Jose R. Feliciano is fifty percent or less, then proceed to question 6.

Damages

6. Disregarding any negligence or fault on the part of Jose R. Feliciano himself, what is the fair monetary value of Jose R. Feliciano to each of the next of kin? (Specify the amount separately with respect to Jose L. Feliciano and Migdalia Rosado.)

Jose L. Feliciano

\$ 170,000.00 (in figures)

\$ One Hundred seventy thousand (in words)

Migdalia Rosado

\$ 120,000.00 (in figures)

\$ One Hundred twenty thousand (in words)

7. What are the fair and reasonable funeral and burial expenses?

\$ 0 (in figures)

\$ Zero (in words)

B. Gross Negligence

Liability

8. Have Plaintiffs proven by a preponderance of the evidence that Defendants were grossly negligent?

X Yes

 No

If you have answered "Yes" to question 8, go on to question 9. If you answered "No," you must enter a verdict in favor of Defendants on this claim by completing the signature and date lines at the end of this form, and returning to the courtroom.

9. Have Plaintiffs proven by a preponderance of the evidence that Defendants' gross negligence proximately caused Jose R. Feliciano's death?

X Yes

 No

If you have answered "Yes" to question 9, go on to question 10. If you have answered "No," you will have entered a verdict in favor of Defendants on this gross negligence claim and must complete the signature and date lines at the end of this form and return to the courtroom.

Punitive Damages

10. What is the amount of punitive damages for which Defendants are liable?

\$ 85,000.00 (in figures)

\$ Eighty-five thousand dollars (in words)

Complete the signature and date lines and return to the courtroom.

Sharon K Houston
Foreperson

May 13, 2005
Date